

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

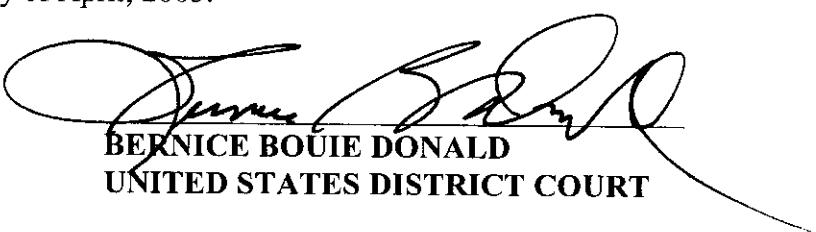
FILED BY *EJ* D.C.
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ERIC O. MOORE,) ROBERT R. DI TROIO
Plaintiff,) CLERK, U.S. DIST. CT.
v.) W.D. TN., MEMPHIS
DRUG ENFORCEMENT AGENCY,)
Defendant.)
Case No. 04-2865-D

ORDER OF CONDITIONAL DISMISSAL

Before the Court is the complaint of Plaintiff Eric O. Moore. The Magistrate Judge conducted a scheduling conference on April 21, 2005, at which neither of the parties appeared. A review of the record indicates that Plaintiff has failed to effectuate service or to prosecute the case. Accordingly, pursuant to Fed. R. Civ. P. 41, the Court conditionally dismisses the instant action. The dismissal will become final thirty days after entry of the instant order should Plaintiff fail to effectuate service and take the necessary steps to prosecute the case.

IT IS SO ORDERED this 25 day of April, 2005.


BERNICE BOUIE DONALD
UNITED STATES DISTRICT COURT



Notice of Distribution

This notice confirms a copy of the document docketed as number 6 in case 2:04-CV-02865 was distributed by fax, mail, or direct printing on April 28, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT